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13 Attorneys for Defendant
14 FACEBOOK, INC.

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**
18

19 MAFFICK LLC, a Delaware limited liability
20 company,

21 Plaintiff,

22 vs.

23 FACEBOOK, INC., a Delaware corporation,
and Does 1-10, inclusive.

24 Defendants.
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Case No. 3:20-cv-05222-JD

**DECLARATION OF JONATHAN H.
BLAVIN IN SUPPORT OF FACEBOOK,
INC.'S MOTION TO DISMISS THE
COMPLAINT AND SPECIAL MOTION
TO STRIKE**

Judge: Hon. James Donato
Hearing Date: October 1, 2020
Hearing Time: 10:00 AM

DECLARATION OF JONATHAN H. BLAVIN

I, Jonathan H. Blavin, declare as follows:

1. I am an attorney in the law firm of Munger, Tolles & Olson LLP, counsel of record for Defendant Facebook, Inc. (“Facebook”) in the above-captioned matter. I have personal knowledge of the facts stated in this declaration and could competently testify to them if called upon to do so. I make this declaration in support of Facebook’s Motion To Dismiss The Complaint.

2. Attached hereto as **Exhibit A** is a true and correct copy of the announcement titled *Labeling State-Controlled Media On Facebook*, dated June 4, 2020, as downloaded by my law firm on August 25, 2020 from <https://about.fb.com/news/2020/06/labeling-state-controlled-media/>.

3. Attached hereto as **Exhibit B** is a true and correct copy of the Help Page titled *What is labeled state-controlled media on Facebook?*, as downloaded by my law firm on August 25, 2020 from <https://www.facebook.com/help/767411547028573>.

4. Attached hereto as **Exhibit C** is a true and correct screen shot of Maffick’s In the Now Facebook Page, as captured by my law firm on September 2, 2020 from <https://www.facebook.com/inthenow/>. As depicted in **Exhibit C**, the In the Now Page has a “Page Transparency” pane on the right hand side which displays the “Russia state-controlled media entity” label next to an informational button, and which contains a “See More” hyperlink on the top right hand side.

5. Attached hereto as **Exhibit D** is a true and correct screen shot of the text that appears when a user hovers over the informational button next to the “Russia state-controlled media entity” label in the Page Transparency pane, as captured by my law firm on September 2, 2020 from <https://www.facebook.com/inthenow/>. The text says, “This publisher is wholly or partially under the editorial control of a state. This is determined by a range of factors, including but not limited to funding, structure, and journalistic standards.”

6. Attached hereto as **Exhibit E** is a true and correct screen shot of the “Page Transparency” window that appears when a user clicks the “See More” link on the top right hand

1 corner of the Page Transparency pane on Maffick's In the Now Facebook Page, as captured by my
2 law firm on September 2, 2020 from <https://www.facebook.com/inthenow/>. The "Learn More"
3 link provided under the "Russia state-controlled media" label directs users to the Help Page
4 attached hereto as **Exhibit B** and accessible at <https://www.facebook.com/help/767411547028573>.

5 7. Attached hereto as **Exhibit F** is a true and correct screen shot of a post made on
6 Maffick's Soapbox Page, as captured by my law firm on September 2, 2020 from
7 <https://www.facebook.com/SoapboxStand/videos/343463143456795/>. As depicted in **Exhibit F**,
8 the "Russia state-controlled media entity" label appears as a link underneath "Soapbox" at the top
9 of the post.

10 8. Attached hereto as **Exhibit G** is a true and correct screen shot of the window that
11 appears when a user clicks the "Russia state-controlled media entity" link depicted in **Exhibit F**,
12 as captured by my law firm on September 2, 2020 from
13 <https://www.facebook.com/SoapboxStand/videos/343463143456795/>. The "Learn More" link
14 provided at the bottom of the window directs users to the Help Page attached hereto as **Exhibit B**
15 and accessible at <https://www.facebook.com/help/767411547028573>.

16
17 I declare under penalty of perjury under the laws of the United States and the State of
18 California that the foregoing is true and correct, and that this declaration was executed on
19 September 4, 2020 at San Francisco, California.

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22 /s/ Jonathan H. Blavin
23 JONATHAN H. BLAVIN
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